

ATTORNEY DOCKET NO. 9400-26

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Maria Adamczyk

Confirmation No.: 5392

Serial No.: 10/606,675

Group Art Unit: 2614

Filed: June 26, 2003

Examiner: B. Tieu

For: ***METHODS OF PROVIDING MESSAGES USING LOCATION CRITERIA AND
RELATED SYSTEMS***

Commissioner for Patents

Date: March 18, 2008

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING DATE

Sir:

In reviewing the Notice of Allowance (copy attached) for the above referenced application, the Applicants note that the filing date incorrectly appears as "06/27/2003". The Applicants filed a Petition to Accord The Proper Filing Date on September 22, 2004, and the U.S. Patent Office issued a Decision Granting Petition (the Decision) on January 27, 2005. A copy of the Decision is attached.

Accordingly, the Applicants respectfully request that the filing date be corrected to read "06/26/2003" and that a Supplemental Notice of Allowance be issued reflecting this correction. The Applicants further request that the correct filing date be printed on the coversheet of the patent granting from the present application.

The Applicants do not believe that a Petition is required to correct the filing date because the Patent Office has already issued the Decision granting the earlier petition. To the extent that another petition is deemed necessary to correct the filing date, however, the Applicants respectfully request that this Request be considered such a Petition. No fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Scott C. Hatfield

Registration No. 38, 176

Myers Bigel Sibley & Sajovec

PO Box 37428

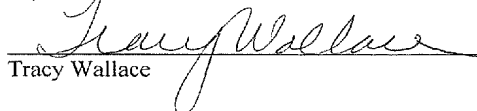
Raleigh NC 27627

Telephone (919) 854-1400

Facsimile (919) 854-1401

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on March 18, 2008.


Tracy Wallace



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, NC 27627

COPY MAILED

JAN 27 2005

OFFICE OF PETITIONS

In re Application of	:	
Maria Adamzyk, et al.	:	
Application No. 10/606,675	:	DECISION GRANTING
Filed: June 26, 2003	:	PETITION
Attorney Docket No. 9400-26	:	

This is a decision on the petition filed September 24, 2004, requesting that the above-identified application be accorded a filing date of June 26, 2003, rather than the presently accorded date of June 27, 2003. The petition is properly treated as a petition under 37 CFR 1.10(d).

The petition is **GRANTED**.

Applicant requests the earlier filing date on the basis that the application was purportedly deposited with Express Mail Service on June 26, 2003 pursuant to 37 CFR 1.10. While the copy of the Express Mail label receipt no. EV353608431US bears no "date-in," it also includes a USPS receipt date stamp of June 26, 2003. Applicants are alleging that the date of mailing shown in the "date-in" is a U. S. Postal Service (USPS) error and the correct date of mailing pursuant to 37 CFR 1.10 is June 26, 2003.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "date-in" on the Express Mail label, MPEP 513. However, in view of the USPS receipt date stamp, it is confirmed that the package bearing Express Mail label No. EV353608431US was accepted at the USPS on June 26, 2003, and the filing date of the application is accorded such.

This application file is being returned to the Office of Initial Patent Examination Division for **correction of the filing date to June 26, 2003**. Thereafter, the application file will be forwarded to Technology Center 3600 for examination in due course.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3223.

A handwritten signature in cursive script, reading "Marianne E. Jenkins".

Marianne E. Jenkins
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy